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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

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9 ROY DANIELS MORAGA, Case No. 3:21-cv-00056-LRH  
10 v. Petitioner, ORDER  
11  
12 WARDEN PERRY RUSSEL, et al.,  
13 Respondents.  
14

15 Petitioner has submitted a *pro se* petition for writ of habeas corpus (ECF No. 1-  
16 1). Petitioner has submitted an application to proceed *in forma pauperis*, but he has not  
17 submitted the required financial certificate or inmate account statements. Accordingly,  
18 this matter has not been properly commenced. 28 U.S.C. § 1915(a)(2) and Local Rule  
19 LSR 1-2.

20 This action therefore is subject to dismissal without prejudice as improperly  
21 commenced. However, it is unclear from the papers presented whether a dismissal  
22 without prejudice will materially affect a later analysis of any timeliness issue with regard  
23 to a new action.

24 Accordingly, petitioner has 30 days to either (1) pay the \$5.00 filing fee or (2)  
25 submit a financial certificate completed and signed by an authorized officer and an  
26 inmate account statement for the past six months. Failure to do so may result in the  
27 dismissal of this action without prejudice.

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1           **IT IS THEREFORE ORDERED** that within **30 days** of the date of entry of this  
2 order petitioner shall submit a completed financial certificate and his inmate account  
3 statement for the past six months.

4           **IT IS FURTHER ORDERED** that if petitioner fails to comply with this order, this  
5 action may be dismissed without prejudice.

6           DATED this 12th day of March, 2021.

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9           LARRY R. HICKS  
10           UNITED STATES DISTRICT JUDGE

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